C-1661

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IN THE HIGH COURT OF JUDICATURE AT BILASPUR

(C.G.)

WRIT PETITION No.4081/2003

PETITIONER

Paritosh Chandra Haldar
Aged about 54 years
S/O Umeshchandra Haldar
Assistant Foremen (Mechanical), South Eastern Coalfields Ltd.
Singhali P.O. Banki Mongra, District Korba (Chhattisgarh)

VERSUS

RESPONDENTS

1. South Eastern Coal Fields Limited through Chairman cum Managing Director, Seepat Road Bilaspur (Chhattisgarh)

2. Mines Superintendent Singhali Project, South Eastern Coalfields Limited, Post Bakimongara, District Korba (Chhattisgarh)

3. Assistant Labour Commissioner (Central) Government of India Torwa Naka, Bilaspur (Chhattisgarh)

P. R. No. 3830/03
Presented by Shri ... Ramesh Kr. Sharma
dated 09-12-03

(4)

PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRITS OF CERTIORARI AND MANDAMUS AND FOR OTHER SUITABLE WRITS AND DIRECTIONS:

XI-HC-22

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P. No. 4081/03

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	17.12.2003 Petitioner by Shri G. K. Beriwal, Advocate and Smt. Somshukla Sarkar, Advocate. Heard. By this writ petition under Article 226/227 of the Constitution of India the petitioner has challenged the order dated 2.8.2003 Annexure P/10 by which the petitioner has been informed that he will be retiring on 31st December, 2003 on attaining the age of 60 years. The petitioner's case is that he was appointed in the year 1968 as Helper in the respondent Organization and is presently working as Assistant Foreman (Mechanical). At the time of recruitment he had submitted the proficiency test certificate from the Govt. of India, Ministry of Labour Employment and Rehabilitation. The petitioner also submitted school leaving certificate from Madanpur High School, Madanpur (Dhaka) (Bangladesh) which was issued on 10.4.1964. In this certificate the date of birth of the petitioner was recorded as 7.3.1950. The respondent entered the age of the petitioner as 1.1.1944 in the service record against which the petitioner made representations in the year 1993, 1995 and 1996 but nothing has been done so far and ultimately on 2.8.2003 notice has been issued to the petitioner that he will be retiring from 31st December, 2003. Learned counsel for the petitioner submitted that the petitioner may be allowed to make a representation to the	

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक

W.P.(S) 4081/03

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Respondent No.1 and to get the age ~~to be verified from~~ determined by the age determination committee.

Having heard learned counsel for the petitioner and having regard to the facts and circumstances of the case, I am of the opinion that it is a fit case in which the petitioner should be allowed to make a detailed representation to the Respondent No.1. Therefore, the petitioner is allowed to make a detailed representation to the Respondent No.1 raising all his grievances within a period of 5 days from today and the Respondent No.1 will refer the case of the petitioner to the age determination committee within another three days and the age determination committee will decide the age of the petitioner after going through the documents and if necessary after getting the petitioner medically examined, before 31st December, 2003.

With the above observations this petition is disposed of finally.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

Thakur

[पीछे देखिये